IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 4813 OF 2004

Ornate Multimodial Carriers
Pvt.Ltd. and Ors. ..Applicants

Vs.

State of Maharashtra & Anr. ...Respondents

...

Mr.S.V.Marwadi with Mr.Ganesh Gole Advocate for Applicants
Mr.M.S.Mohite for Respodnet no.2
Ms.S.V.Gajare A.P.P. for State

...

CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : OCTOBER 25, 2005

P.C.

1. Heard the learned advocate for the applicants-original accused, learned advocate for the respondent no.2-original complainant and the learned A.P.P. for the State.

2. Authorisation of Mr.Shaahid Y.Shaikh, CEO of the complainant is taken on record and marked as ‘X’ for identification.

3. The applicants have prayed for quashing of

process issued against them in Cri.Case No. 775 of 2004 which is pending before the learned Judicial Magistrate F.C. Vasai. In the said case, process was issued under Section 138 of Negotiable Instruments Act.

4. Mr.Gole, the learned advocate for the complainant states that the matter has been amicably settled between the parties. The parties have arrived at consent terms and consent terms are tendered which are taken on record and marked as 'X-1' for identification. In view of the consent terms, C.C.No.775 of 2004 pending before the learned Judicial Magistrate F.C. Vasai and the proceeding relating thereto are quashed. As per the consent terms, cheque No.444272 dated 25.10.2005 has been handed over to the complainant. In case the said cheque is dishonoured, the complaint shall stand revived.

5. Application is disposed of in terms of consent terms.

[V.K.TAHILRAMANI,J.]